

### Status of Claims

1 (currently amended).      An anterior cervical plate for engaging at least two vertebrae along the anterior cervical spine, comprising:

        a lower surface adapted to engage the anterior of at least two cervical vertebrae and an opposite upper surface,

        at least one receiving area formed in the upper surface and including two transversely aligned screw holes, and

        a locking element pivotally mounted on the receiving area, the locking element being elongated and including tool engaging means offset from the pivot axis for grasping and pivoting the locking element, the locking element being movable to a first position whereat the locking element completely uncovers the screw holes and a second position whereat the ends of the elongated locking element extend over a portion of both screw holes to prevent the bone screws located therein from backing out.

2 (original).      A cervical plate according to claim 1, wherein the plate has a raised boss and the locking element has an opening which is pivotally mounted on the raised boss.

3 (original).      A cervical plate according to claim 2, wherein the plate has a through hole therethrough and the locking element has a raised boss on the bottom thereof extending into the through hole of the plate and connected therein such that the locking element is pivotally mounted on the plate.

4 (original). A cervical plate according to claim 1, wherein the plate has a through hole which is aligned with an opening through the locking element, and a separate post is located in both the through hole and the opening and attached to the plate and allowing the locking element to pivot relative thereto.

5 (original). A cervical plate according to claim 1, wherein the receiving area is a recessed area relative to raised web areas of the plate.

6 (original). A cervical plate according to claim 1, wherein one of the receiving area and bottom of the locking element has at least one projection, the other of the receiving area and bottom of the locking element having at least one recess which is positioned to receive the projection and thereby snap the locking element onto the receiving area when the locking element is in said second position.

7 (original). A cervical plate according to claim 6, wherein the receiving area or the locking element which has the recess also has a ramp to ride up over the projection and permit the projection to snap into the recess when the locking element reaches its second position.

8 (original). A cervical plate according to claim 7, wherein the at least one projection is on the receiving area and the at least one recess is on the bottom of the locking element.

9 (original). A cervical plate according to claim 7, including a recessed ramp on the bottom of the locking element for riding up over the projections on the receiving area and permitting the projections to snap into place in the recesses when the locking element is in the second position.

10 (original). A cervical plate according to claim 1, wherein the receiving area is a recessed area relative to other raised web areas of the plate, and including a pair of projections on the recessed receiving area and a pair of matching recesses on the bottom of the locking element, wherein the projections will snap into place in the recesses when the locking element is in said second position.

11 (original). A cervical plate according to claim 10, wherein the locking element has a pair of recessed ramps on the bottom thereof to ride up over the projections and permit the projections to snap into place in the recesses.

12 (currently amended). A cervical plate according to claim 1, wherein the tool engaging means comprises a pair of tool receiving openings in the locking element ~~has at least one tool receiving opening therein~~ for receiving a tool to turn the locking element between the first and second positions.

13 (currently amended). An anterior cervical plate for engaging at least two vertebrae along the anterior cervical spine, comprising:

a plate having a lower surface adapted to engage the anterior of at least two cervical vertebrae and an opposite upper surface,

at least one pair of spaced apart screw holes through the plate,

a locking element pivotally mounted between the screw holes and movable between a first position whereat the locking element completely uncovers the screw holes and a second position whereat the locking element extends over a portion of both screw holes to prevent the bone screws located therein from backing out, and

a first positive positioning structure on the locking element which engages with a second positive positioning structure on the plate to hold holds the locking element in the second position.

14 (currently amended). A cervical plate according to claim 13, wherein the first positive positioning structure comprises a projection on one of the plate or locking element and the second positive positioning structure comprises a matching recess on the other of the plate or locking element, the projection and the matching recess being positioned so as to hold the locking element in said second position.

15 (original). A cervical plate according to claim 14, wherein the projection is on the plate and the matching recess is on the bottom of the locking element.

16 (original). A cervical plate according to claim 15, wherein the bottom of the locking element has a recessed ramp to ride up over the projection to permit the projection to snap into the matching recess when the locking element is in the second position.

17 (original). A cervical plate according to claim 16, including a pair of projections on the plate and a pair of matching recesses on the bottom of the locking element.

18 (original). A cervical plate according to claim 13, wherein the plate has a raised boss and the locking element has an opening which is pivotally mounted on the raised boss.

19 (original). A cervical plate according to claim 13, wherein the plate has a through hole and the locking element has a raised boss on the bottom thereof extending into the through hole of the plate and connected therein such that the locking element is pivotally mounted on the plate.

20 (original). A cervical plate according to claim 13, wherein the plate has a through hole which is aligned with an opening through the locking element, and a separate post is located in both the through hole and the opening and attached to the plate and allowing the locking element to pivot relative thereto.